

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1 to 5 and 7.

The above amendment is responsive to points set forth in the Official Action.

Claim 3 has been objected to as being a substantial duplicate of claim 7.

This rejection is respectfully traversed.

Please note that claim 3 depends on claim 1 and claim 7 depends on claim 2. Claims 1 and 2 differ at least in the definition of R⁵ and therefore, claims 3 and 7 are of different scope. Accordingly, the rejection of claims 3 and 7 as being substantial duplicates is untenable.

Claims 1 to 5 and 7 stand rejected under 35 U.S.C. 102(b) as being anticipated clearly by Roepel (Tetrahedron Letters 43, pages 1973 to 1976 (2002)).

This rejection is respectfully traversed with regard to the present claims.

Roepel merely discloses the compound ethyl 3,3-dicyanoheptanoate.


Accordingly, the rejection of Roepel is untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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November 2, 2007